## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

BRIDGET MECHENTER-CESARIO,	)
Plaintiff,	)
v.	) Case No. 08 C 0021
CHIEF OF CORRECTIONS JENNIFER WITHERSPOON, LIEUTENANT WARD,	) Judge Ruben Castillo )
OFFICER JENNIFER BUCKINGHAM, OFFICER STOVALL, OFFICER KARAWITZ,	) Magistrate Judge Brown )
LIEUTENANT MARCADO, OFFICER MITCHELL, OFFICER QUICK, SERGEANT	)
DAVIS, SERGEANT SMITH, ROXANNE DOE and JOHN DOE,	)
Defendants.	)

## SOME DEFENDANTS' MOTION TO ENLARGE THE TIME TO RESPOND TO PLAINTIFF'S COMPLAINT AND TO CONTINUE SETTLEMENT CONFERENCE

JENNIFER WITHERSPOON, ANTHONY WARD, JENNIFER BUCKINGHAM, MARSHALA STOVALL, MELISSA KREROWICZ, incorrectly sued as Officer Karawitz, MEGAN MERCADO, incorrectly sued as Lieutenant Marcado, MONIQUE MITCHELL, PATRICIA QUICK, CHARLES DAVIS and FRANK SMITH, some defendants, by their attorney, Daniel P. Field, respectfully move, pursuant to Fed.R.Civ.P. 6(b) that this court enter its order enlarging the time for these defendants to answer or otherwise plead, and in support thereof, state as follows:

- 1. These defendants are all employees of the Sheriff of Lake County and are employed at the Lake County Jail.
  - 2. Each of these defendants has been served with summons and complaint in this action.
  - 3. On Monday, May 12, the Office of the Lake County States Attorney assigned the

defense of this matter to the undersigned.

- 4. The undersigned immediately requested any file materials regarding the plaintiff from the jail but has yet to receive her file.
- 5. Further, to the extent that plaintiff is alleging a denial of medical treatment the undersigned must investigate these claims as health care for detainees at the Lake County Jail is provided pursuant to a contract by a third party entity named Health Professionals, Incorporated and its employees.
- 6. The undersigned has already discussed with plaintiff's counsel the fact that health care to detainees is provided by persons and an entity which are not parties to this suit.
- 7. The undersigned has assured plaintiff's counsel that once he is in receipt of plaintiff's file materials he will disclose them to plaintiff's counsel without a formal request so that plaintiff's counsel can determine whether he wishes to amend his plaintiff's pending complaint to add additional parties defendant.
- 8. The undersigned submits that for the foregoing reasons it would be an unproductive use of this court's time to attempt to discuss settlement with the matter in its current posture.

WHEREFORE, JENNIFER WITHERSPOON, ANTHONY WARD, JENNIFER BUCKINGHAM, MARSHALA STOVALL, MELISSA KREROWICZ, MEGAN MERCADO, MONIQUE MITCHELL, PATRICIA QUICK, CHARLES DAVIS and FRANK SMITH, some defendants, pray that this court enlarge the time for these defendants to answer or otherwise plead to plaintiff's complaint by thirty days from the date of presentment of this motion and to continue the settlement conference currently scheduled to take place on June 17, 2008.

Respectfully submitted,

JENNIFER WITHERSPOON, ANTHONY WARD, JENNIFER BUCKINGHAM, MARSHALA STOVALL, MELISSA KREROWICZ, MEGAN MERCADO, MONIQUE MITCHELL, PATRICIA QUICK, CHARLES DAVIS and FRANK SMITH, some defendants,

By: s/Daniel P. Field
Their attorney

Daniel P. Field SCARIANO, HIMES AND PETRARCA, CHTD. 209 West Madison Street Waukegan, IL 60085-4345 (847) 662-5800 ARDC No. 00800597 dpfield@gmail.com